

MEETING MINUTES
Board of Mental Health Practice
January 3, 2014

These minutes were approved by
the Board on 3/7/2014

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by the Vice-Chair, Thomas Maxson, at 9:04 a.m., in Lower Level Room A, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

Members Present:	Dale Battleson	-	Member
	Susan Feyen	-	Member
	William Gaughan	-	Member
	Mike Kinney	-	Member
	Thomas Maxson	-	Vice-Chair
	Susan Meyerle	-	Member
	Alison Reisbig	-	Member
	Sarita Ruma	-	Secretary
	Shari Schnuelle	-	Member

Members Absent:	Janice Fitts	-	Chair
-----------------	--------------	---	-------

Others Present:	Kris Chiles	-	Program Manager, Licensure Unit
	Barb Remmers	-	Investigator, Licensure Unit
	Dennis Scott	-	Investigator, Licensure Unit
	Julie Agena	-	Assistant Attorney General

A quorum was present and the meeting convened.

New member, Alison Reisbig, was introduced and members introduced themselves.

2. ADOPTION OF AGENDA

MOTION: Meyerle moved, seconded by Ruma, to adopt the agenda. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Absent: Fitts (1). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES (11-1-13)

There was a correction on page 3 of the minutes where the date should be 2013.

MOTION: Schnuelle moved, seconded by Gaughan, to approve the minutes of 11-1-13 as corrected. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Ruma, Schnuelle, (8). Voting nay: None (0). Absent: Fitts (1). Abstain: Reisbig (1). Motion carried.

4. INVESTIGATIVE REPORTS AND COMPLIANCE MONITORING – CLOSED SESSION

MOTION: Kinney moved, seconded by Ruma, to enter into closed session at 9:12 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Absent: Fitts (1). Motion carried.

9:31 a.m.	-	Maxson departed meeting (conflict)
		Scott departed meeting
9:46 a.m.	-	Maxson entered meeting
10:01 a.m.	-	Kinney departed meeting (conflict)
10:12 a.m.	-	Kinney entered meeting
10:19 a.m.	-	Break
		Remmers departed meeting
11:21 a.m.	-	Agena departed meeting
11:24 a.m.	-	Roger Brink, Department Attorney, entered meeting

11:38 a.m. - Feyen departed meeting

11:39 a.m. - Feyen entered meeting

MOTION: Kinney moved, seconded by Meyerle, to enter into open session at 11:59 a.m. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Absent: Fitts (1). Motion carried.

11:59 a.m. - Break

12:16 p.m. - Meeting resumed

5. FILE REVIEWS – OPEN SESSION

a. Applications/Reinstatements/Convictions

Nancy Lebow – LMHP Reinstatement Following Revocation

MOTION: Battleson moved, seconded by Kinney, to recommend offering to reinstate LMHP with 5-year probation with the standard probation terms and conditions and include the following: 1) Follow the recommendations of the Return to Practice/Fitness for Duty Evaluation, 2) Provide annual verification of her follow-through with your Safety/Relapse Prevention Plan, 3) practice as a mental health practitioner and certified master social worker must be supervised by a licensed mental health practitioner or licensed independent mental health practitioner. The practice monitor must meet face to face for no less than 1 hour per month during probation to achieve the supervision. Supervision must include an emphasis on: boundaries, dual relationships, attraction to clients, compliance with probationary terms and conditions and record keeping. The practice monitor must complete a monthly on-site review of at least five of the licensee's patient records, selected by the practice monitor. Reviews will include, but not be limited to, intake, assessment and billing, 4) Refrain from solo practice. A roll call vote was taken. Voting aye: Battleson, Feyen, Kinney, Meyerle, Ruma, Schnuelle, (6). Voting nay: Gaughan, Maxson (2). Abstain: Reisbig (1). Absent: Fitts (1). Motion carried.

Nicole Brandt – PLMHP

MOTION: Feyen moved, seconded by Ruma, to recommend offering PLMHP with 3-year probation to include the standard terms/conditions of probation and include abstain from alcohol, random body fluid screens, comply with the recommendations of the evaluation, and quarterly employer reports. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Fitts (1). Motion carried.

Tracee Davis – PLMHP

MOTION: Battleson moved, seconded by Kinney, to recommend approval of PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Fitts (1). Motion carried.

Diane Niday – PLMHP

MOTION: Schnuelle moved, seconded by Battleson, to recommend approval of PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Fitts (1). Motion carried.

Elizabeth Randall – PLMHP applicant

MOTION: Feyen moved, seconded by Schnuelle, to recommend offering a PLMHP with a 5-year probation, to include the standard terms/conditions of probation and include quarterly employer reports, quarterly reports from her mental health provider and clinical supervisor, follow the evaluation recommendations, abstain and random body fluid screens. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Meyerle, Reisbig, Ruma, Schnuelle (8). Voting nay: Maxson (1). Abstain: None (0). Absent: Fitts (1). Motion carried.

Mandy Standley – PLMHP applicant

MOTION: Schnuelle moved, seconded by Feyen, to recommend approval of PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Fitts (1). Motion carried.

6. UNFINISHED BUSINESS

a. Jurisprudence Examination

Meyerle reported she had requested jurisprudence examinations from other states and she indicated the range of complexity of questions and how they were put together was interesting. She reported she had talked with other states about their jurisprudence examinations when she was at the ASPPB.

b. Other

There was no other unfinished business to report.

7. NEW BUSINESS

a. Correspondence

Chiles stated the Board of Alcohol and Drug Counseling was having a presentation on the DSM-5 during their meeting on 1-9-14 and the members of this Board were invited to attend if they were interested.

b. Other

Meyerle reported that she and some of her colleagues were launching a product regarding ethical boundaries which she sees as for those who have a license that has been disciplined or revoked. The individuals would participate in a tutorial program. She commented her colleagues view this as having a broader use such as physicians in residency or employers. Meyerle commented it could not be a service for this Board because it would be a conflict with her being a Board member.

8. UPDATES AND REPORTS

a. AASCB / AMFTRB / ASWB / Citizen Advocacy Center

AASCB

Meyerle reported she will be attending ASPPB next week. She reported some of the topics will be on-line counseling services, license portability and rehabilitation counselors.

AMFTRB

There was nothing to report.

ASWB

Meyerle attended the annual meeting in November in Nashville. She reported they have a new executive director and a new strategic plan. She stated a majority of the meeting addressed items related to the strategic plan and specific cases.

Citizen Advocacy Center

There was nothing to report.

b. Disciplinary/Non-Disciplinary Report

Chiles distributed the report of disciplinary actions for 1-1-13 to 1-2-14.

c. Licensure Statistics / Administrative Penalty Fees Assessed

Chiles distributed the report of examination statistics for 1-1-13 to 1-2-14 and a report of school information for those who took the examination: She reported the following examination information:

1. 2 individuals passed the AMFTRB examination.
2. 85 individuals passed the NCE examination and 12 were not successful.
3. 22 individuals passed the ASWB examination and 10 were not successful.
4. For the NCMHCE, 13 passed the decision making portion and 13 were not successful and 20 passed the information gathering portion and 6 were not successful.

Chiles distributed the report of administrative penalty fees assessed for 2013.

d. Other

9. ELECTIONS AND APPOINTMENTS

a. Election of Officers

MOTION: Gaughan moved, seconded by Kinney, to elect Feyen as secretary, Maxon as chair, and Battleson as vice-Chair. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Kinney, Maxson, Meyerle, Reisbig, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Fitts (1). Motion carried.

12:58 p.m. - Kinney departed meeting

b. Appointments: Investigative Consultants & Education Reviewers

Maxson and Schunelle were appointed as investigative consultants. Feyen, Meyerle and Reisbig were appointed as education reviewers.

10. ADJOURNMENT

Maxson adjourned the meeting of the Board of Mental Health Practice at 1:05 p.m.

Respectfully Submitted,

Susan Feyen, Secretary
Board of Mental Health Practice

Next Meeting: March 7, 2014

Summarized by: Nancy Herdman, Health Licensing Coordinator, Licensure Unit